

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 1656
METZ et al.)
Serial No.: 10/810,352) Examiner: Nashed, Nashaat T
Filed: March 26, 2004) Confirmation No.: 8617
Atty. File No.: 2997-49)
For: "PUFA POLYKETIDE SYNTHASE)
SYSTEMS AND USES THEREOF")

) **COMMENTS ON STATEMENT OF**
REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

The following Comments on Statement of Reasons for Allowance are provided in response to the Examiner's Statement of Reasons for Allowance on page 5 of the Notice of Allowability mailed on November 24, 2006. This paper accompanies the Issue Fee Transmittal and the payment of the issue fee in this application.

Specifically, in the Examiner's Statement of Reasons for Allowance, the Examiner indicated that:

"The specification teaches a gene cluster for the biosynthesis of polyunsaturated fatty acids (PUFA) from *Schizochytrium* sp. The genetic organization of said gene cluster are very similar to the organization of polyketide synthases such as those required for the biosynthesis of macrolactones in *Streptomyces*[sic]. The specification enables the use of the gene cluster in producing fatty acids in microorganisms and plants. The claims are directed..."

Applicants wish to comment that while it is true that the specification includes description of the gene cluster for the biosynthesis of PUFAs from *Schizochytrium* sp., the allowed claims are directed to subject matter related to the gene cluster for the biosynthesis of PUFAs from *Thraustochytrium*. It is believed that the Examiner intended to recite *Thraustochytrium* rather than *Schizochytrium* in the statement above.

Any questions or concerns regarding these comments should be directed to the below-named agent at (303) 863-9700.

Respectfully submitted,

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Date: February 22, 2007